

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

GARY D. MADDEN,

Petitioner,

v.

CASE NO. 2:06-cv-164

JUDGE SARGUS  
MAGISTRATE JUDGE ABEL

ERNIE MOORE, Warden,

Respondent.

**ORDER**

On March 2, 2006, the Magistrate Judge issued a *Report and Recommendation* pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed as barred by the one-year statute of limitations under 28 U.S.C. §2244(d).

Although the parties were specifically informed of their right to object to the *Report and Recommendation*, and of the consequences of their failure to do so, there has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED AND AFFIRMED**. This case is **DISMISSED** for failure to comply with the one-year statute of limitations.

**IT IS SO ORDERED.**

  
3-29-2006  
EDMUND A. SARGUS, JR.  
United States District Judge